

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE: SYNGENTA LITIGATION

This document relates to:

Alan Adams, et al.,

Civil No. 17-3707(DSD/HB)

v.

Syngenta Seeds, Inc., et al.

Ross Alcorn, et al.,

Civil No. 17-3708(DSD/HB)

v.

Syngenta Seeds, Inc., et al.

William Adams, et al.,

Civil No. 17-3778(DSD/HB)

v.

Syngenta Seeds, Inc., et al.

ORDER

This matter is before the court upon the objection to the notice of dismissal filed in the above-captioned cases by defendants Syngenta Crop Protection and Syngenta Seeds Inc.

On September 5, 2017, plaintiffs in these cases filed a notice of voluntary dismissal without prejudice under Fed. R. Civ. P. 41(a)(1)(A)(I). The court terminated the cases accordingly. Thereafter, Syngenta filed the instant objection arguing that

actions should have been dismissed with prejudice because plaintiffs Jonathan Liechty, Paul Skarnagel, William Nohr, Lawrence Peterson, and Charles Selzer had all previously brought and voluntarily dismissed similar claims in various state courts. See Fed. R. Civ. P. 41(a)(1)(B) ("Unless the notice or stipulation states otherwise, the dismissal is without prejudice. But if the plaintiff previously dismissed any federal- or state-court action based on or including the same claim, a notice of dismissal operates as an adjudication on the merits."). Syngenta requests that the court order plaintiffs to show cause why their actions should not be dismissed with prejudice. Plaintiffs do not oppose Syngenta's objection. ECF No. 17 in Civ. No. 17-3707.

Accordingly, **IT IS HEREBY ORDERED** that:

1. Syngenta's objection [ECF No. 14 in Civ. No. 17-3707, ECF No. 13 in Civ. No. 17-3708, ECF No. 13 in Civ. No. 17-3778] is sustained; and
2. The above-captioned matters are dismissed with prejudice.

Dated: September 19, 2017

s/David S. Doty
David S. Doty, Judge
United States District Court